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DAVID DAYANOFF

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

In re:	Case No.: <b>2:04-22926-BB</b>
STEVEN AND SUSAN OSCHEROWITZ	CHAPTER 7
Debtor.	<b>LIMITED OPPOSITION TO DEBTOR'S MOTION TO AVOID JUDGMENT LIEN AND AUTHORIZING SHORTSALE</b>
	Date: August 20, 2013 Time: 11:00 AM Crtrm: 1475

Secured Creditor, David Dayanoff ("Dayanoff"), respectfully submits the following limited Opposition to Steven and Susan Oscherowitz ("Debtors") Motion for Order Avoiding Lien and Authorizing Short-sale (the "Motion").

The Debtor's Motion concerns the Debtor's real property located at 117 North Citrus Avenue, Los Angeles, CA 90036 ("Subject Property"). Debtor seeks avoidance of judgment liens and Court approval of the short-sale. Dayanoff takes no position as to avoidance of the judgment liens, however objects to approval of the short-sale to the extent that the terms of the short-sale attempt to involuntarily modify or alter the voluntary secured claim, per deed of trust, of Dayanoff in an amount of \$150,000.00 (see Debtor's exhibit "C").

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1 The Debtor and Dayanoff have not come to any agreement as to the terms of payoff  
2 on the Dayanoff Secured Lien, and to that extent, each lien creditor has not consented or  
3 approved of the short-sale.

4 Wherefore, Dayanoff requests that this Court deny Debtor's request to authorize short  
5 sale to the extent that that the terms of the short-sale attempt to involuntarily modify or alter  
6 the voluntary secured claim, per deed of trust.

7  
8  
9 Dated: August 6, 2013

**LAW OFFICES OF MOSES S. BARDAVID**

10  
11 By: 

Moses S. Bardavid

Counsel Secured David Dayanoff

In re:  
Oscherowitz

Debtor(s). CHAPTER : 7  
CASE NUMBER: 2:04-22926-BB

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
16133 Ventura Blvd., 7<sup>th</sup> Floor, Encino, CA 91436

A true and correct copy of the foregoing document described as Limited Opposition To Debtor's Motion to Avoid Judgment Lien and Authorizing Short-sale; will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

**I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")** – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On August 6, 2013 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

- Paul A Beck pab@pablaw.org
- Alane A Becket 2 notices@becket-lee.com
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### II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):

On I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Hon. Shei Bluebond, 255 East Temple Street, Courtroom 1475, Los Angeles, CA 90012

☐ Service information continued on attached page

**III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL** (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on \_\_\_\_\_ I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

August 8, 2013

Carrie Bardavid

Date

Type Name

Signature